

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRAVELERS PROPERTY CASUALTY	:	CIVIL ACTION
COMPANY OF AMERICA	:	
	:	No. 11-565
v.	:	
	:	
CHUBB CUSTOM INSURANCE	:	
COMPANY, et al.	:	

ORDER

AND NOW, this 30th day of March, 2012, it is ORDERED:

- Plaintiff Travelers Property Casualty Company of America's (Travelers) Motion for Summary Judgment (Document 79) is GRANTED. Travelers owes no duty to defend or indemnify Defendants The Clemens Family Corporation and Country View Family Farms, LLC (the Clemens Defendants) under Travelers policy TC2J-GLSA-823K4244-TIL-06 in the United States District Court for the Southern District of Indiana civil action No. 1:09-CV-1567 (the underlying suit).

- Judgment is entered in favor of Travelers and against the Clemens Defendants as to Travelers' declaratory judgment claim.

- Having found Travelers owes no duty to defend or indemnify, judgment is entered in favor of Travelers and against the Clemens Defendants as to the Clemens Defendants' declaratory judgment and breach of contract claims against Travelers.

It is further ORDERED:

- Defendant Zurich American Insurance Company's (Zurich) Motion for Summary Judgment (Document 83) is GRANTED. Zurich has no duty to defend or indemnify Defendants The Clemens Family Corporation and Country View Family Farms, LLC under Zurich policy GLO 9259397-00, policy GLO 9259397-01, and policy GLO 9259397-02 in the underlying suit.

- Judgment is entered in favor of Zurich and against the Clemens Defendants as to Zurich's declaratory judgment claim.

- Having found Zurich owes no duty to defend or indemnify, judgment is entered in favor of Zurich and against the Clemens Defendants as to the Clemens Defendants' declaratory judgment claims against Zurich.

It is further ORDERED the Clemens Defendants' Motion to Dismiss the Declaratory Judgment Action or Alternatively, to Stay the Action as it Relates to the Duty to Indemnify (Document 60) is DENIED.

The Clerk of Court is DIRECTED to mark this case CLOSED.

BY THE COURT:

\s\ Juan R. Sánchez
Juan R. Sánchez, J.